

REMARKS

The Office has required restriction in the present application as follows:

Group 1 - Claims 1-4 drawn to an antifouling detergent

Group 2 - Claims 5, 6, 8 and 9 drawn to a method which comprises treating a surface with an antifouling detergent.

Applicants elect, with traverse, Group 2 Claims 5, 6, 8 and 9 drawn to a method which comprises treating a surface with an antifouling detergent.

The Examiner has indicated that Groups 1 and 2 do not relate to a general inventive concept under PCT Rule 13.1 because under PCT Rule 13.2 they lack the same or corresponding special technical features in that at least Claim 1 is obvious over Harada et al. U.S. 3,920,292 or JP 2000-096049.

Applicants respectfully traverse the Restriction Requirement on the grounds that no adequate reasons or examples have been provided to support a conclusion of patentable distinctness between the identified groups or shown that a burden exists in searching all of the claims. Applicants make no statement regarding the patentability of Groups 1 and 2 over the cited references although it is noted that these references are considered prior art, which Applicants invention is an improvement thereof. In addition Claim 1 has currently been amended to include further limitations which clearly are novel and unobvious over the prior art. Invention Groups 1 and 2 therefore do provide a contribution over the prior art and therefore unity of invention is present.

Moreover the MPEP in §803 states as follows:

If a search and examination of an entire application can be made without a serious burden, the Examiners must examine it on the merits even though it includes claims to distinct or independent inventions.

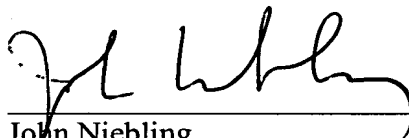
Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office. In this regard it is noted that the European Patent Office searched all of the claims presently presented.

Accordingly and for the reasons presented above Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits and early notice of such Action is earnestly solicited.

Respectfully submitted,

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